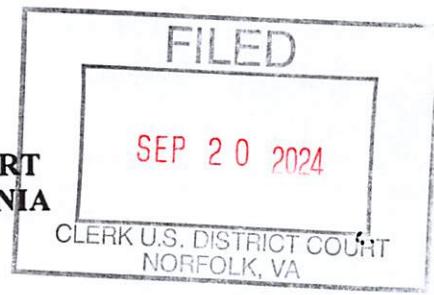


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division



UNITED STATES OF AMERICA,

v.

Case No. 4:24mj3

FENGYUN SHI,

Defendant.

SUPPLEMENTAL SENTENCING PROCEDURES ORDER

The Sentencing Procedures Order, ECF No. 28, is supplemented as follows:

Regardless of whether there are objections to the presentence report, Counsel for the defendant and the government shall file a pleading entitled "Position of Parties with Respect to Sentencing Factors," ("Position Paper") no later than September 26, 2024. The Position Paper shall include all objections to the presentence report and the grounds therefor, in accordance with Section 6A1.3 of the Sentencing Guidelines. The Position Paper must include case law and analysis with respect to the disputed Guidelines calculations or any other objections identified by counsel. Failure to adhere to this order may result in a continuance of the sentencing hearing or waiver of unargued objections. A copy shall be delivered to the Probation Officer on the date of filing.

Whether or not there are objections or other disputed issues, defense counsel and counsel for the government shall include within the above-referenced Position Paper their positions with respect to the sentencing factors and reasons supporting the requested sentence, including any relevant case law. Any exhibits to the Position Paper, including Character Letters, victim impact

statements, photographs, etc., must also be submitted by this deadline. The Court may, in its discretion, decline to consider any exhibits submitted out of time.

If evidence is sought to be presented at the sentencing hearing, the parties shall file as a part of their "Position Paper" an outline of such evidence, including: (1) description of the testimony of any witnesses sought to be called; (2) all documents, including character letters, photographs, or any other material relevant to any possible objections or discussion of § 3553(a) factors, and (3) any affidavits. This shall also include any other evidence Parties intend to rely on at the sentencing hearing. Failure to adhere to this request may result in a continuance of the sentencing hearing.

The Clerk is **DIRECTED** to forward a copy of this Order to all counsel of record.

IT IS SO ORDERED.



Lawrence R. Leonard
United States Magistrate Judge

September 20, 2024
Newport News, Virginia